

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

ROBERT E. COLE  
ROBERT E. COLE, P.C.  
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Attorney For Plaintiff

OWEN J. ROGAL, D.D.S., P.C.  
d/b/a THE PAIN CENTER  
501-07 SOUTH 12<sup>TH</sup> STREET  
PHILADELPHIA, PA 19147

Plaintiff :

V. : NO. 3:06cv711-MHT

SKILSTAF, INC.  
P.O. BOX 729  
ALEXANDER CITY, AL 35011

: UNOPPOSED

Defendant :

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**JOINT MOTION FOR AN EXTENSION OF TIME TO AUGUST 29, 2007 TO FILE  
PROPOSED JURY INSTRUCTIONS, VOIR DIRE QUESTIONS AND MOTIONS IN  
LIMINE**

Defendant Skilstaf, Inc. ("Defendant") and Plaintiff Owen J. Rogal, D.D.S., P.C. ("Plaintiff") (collectively, "the parties"), respectfully move the Court to grant an order permitting them an extension to August 29, 2007 to file proposed Jury Instructions, Voir Dire Questions and Motions in Limine. As grounds for this motion, the parties state as follows:

1. On October 12, 2006, the Court entered a Uniform Scheduling Order in each of the above-styled cases. Section 14 of the Court's Uniform Scheduling Order requires the parties to file the indicated documents within fourteen (14) days prior to trial, which is scheduled for September 5, 2007.

2. Plaintiff is a corporation with its principal place of business in Philadelphia, Pennsylvania.

3. Defendant is an Alabama corporation with its principal place of business in Alexander City, Alabama.

4. To date, the parties' attorneys have engaged in good faith settlement negotiations. Specifically, the parties' attorneys have corresponded through the mail and have spoken on the telephone in an attempt to settle the disputes that exist between them. These settlement negotiations are ongoing and counsel believe that settlement will occur in the immediate future.

5. In order to promote the distinct possibility of settlement, counsel have agreed to delay, with the Court's approval, the filing of labor-intensive jury instructions, voir dire questions and motions in limine so as to increase the appeal of settlement between their respective clients.

WHEREFORE, the parties hereby respectfully request the Court grant an extension of time to August 29, 2007 to file proposed jury instructions, voir dire questions and motions in limine.

Respectfully submitted,

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Attorney for Plaintiff

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Skilstaf, Inc.

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FOR THE MIDDLE DISTRICT OF ALABAMA**

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OWEN J. ROGAL, D.D.S., P.C. :

V. : NO. 3:06cv711-MHT

SKILSTAF, INC. :

**VERIFICATION OF SERVICE**

Robert E. Cole, Esquire, attorney for plaintiff, hereby verifies that on the 22nd day of August, 2007, he electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing as follows:

Amelia T. Driscoll, Esquire  
Bradley Arant et al.  
1819 Fifth Avenue North  
Birmingham, AL 35203-2104

Robert E. Cole, Esquire, attorney for plaintiff, hereby verifies that on the 22nd day of August, 2007, he served upon Jeanne L. Bakker, Esquire, attorney for defendant above, a true and correct copy of the foregoing by first class mail, postage prepaid to the following address:

Montgomery, McCracken et al.  
123 South Broad Street  
Philadelphia, PA 19109

s/Robert E. Cole  
Robert E. Cole, Esquire  
Attorney for Plaintiff  
Atty. I.D. No. 73263  
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Attorney For Plaintiff

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SKILSTAF, INC. :  
P.O. BOX 729 :  
ALEXANDER CITY, AL 35011 :

Defendant :

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**ORDER**

AND NOW, this                      day of                      , 2007, upon  
consideration of joint Motion, it is hereby **ORDERED and DECREED**  
that the deadline for filing Jury Instructions, Voir Dire  
Questions and Motions in Limine is extended to August 29, 2007.

BY THE COURT:

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J.